



**Attachment to item number 4.0 -
Minutes from the Council Meeting 15 August 2023**



MINUTES

FOR THE COUNCIL MEETING HELD AT THE
COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE STREET, SORELL ON
15 AUGUST 2023

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The meeting commenced at 6.00pm.

1.0 ATTENDANCE

Mayor K Vincent
Deputy Mayor C Wooley
Councillor S Campbell – Arrived at 6.03pm.
Councillor J Gatehouse
Councillor M Miró Quesada Le Roux
Councillor M Reed
Councillor N Reynolds
Councillor C Torenus

2.0 APOLOGIES

Councillor M Brown – Approved Leave of Absence

3.0 DECLARATIONS OF PECUNIARY INTEREST

Councillors Gatehouse and Reed declared perceived non-pecuniary interests in item 15.1 Community Grants Program.

4.0 CONFIRMATION OF THE MINUTES OF 18 JULY 2023

RECOMMENDATION

“That the Minutes of the Council Meeting held on 18th July 2023 be confirmed.”

128/2023 GATEHOUSE/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Wooley,
Reed

Against:

The Motion was **CARRIED**



5.0 MAYOR'S REPORT

RECOMMENDATION

"That the Mayor's communication report as listed be received."

129/2023 REED/REYNOLDS

"That the recommendation be accepted."

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed

Against:

The Motion was **CARRIED**

6.0 SUPPLEMENTARY ITEMS

RECOMMENDATION

"That the Council resolve by absolute majority to deal with any supplementary items not appearing on the agenda, as reported by the General Manager in accordance with the *Local Government (Meeting Procedures) Regulations 2015*."

In accordance with the requirements of Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2015*, the Council by absolute majority may approve the consideration of a matter not appearing on the agenda, where the General Manager has reported:

- a) The reason it was not possible to include the matter on the agenda; and
- b) That the matter is urgent; and
- c) That advice has been provided under section 65 of the *Local Government Act 1993*.



7.0 COUNCIL WORKSHOPS REPORT

[^]
The following Council Workshop was held:

Date	Purpose	Councillor Attendance	Councillor Apologies
1st August 2023	<ul style="list-style-type: none"> Southern Waste Solutions – FOGO Facility - Business Case Presentation Dunalley Hall management Community Grant Applications Sorell Streetscape update Council Committees Digby Hall presentation Questions on Notice 	<ul style="list-style-type: none"> Vincent, Wooley, Torenius, Miro Quesada Le Roux, Gatehouse, Campbell, Reed, Reynolds 	<ul style="list-style-type: none"> Brown (Approved Leave of Absence)

8.0 COUNCILLOR QUESTIONS ON NOTICE

Nil

9.0 COUNCILLOR MOTIONS ON NOTICE

Nil

10.0 WORKGROUP REPORTS

RECOMMENDATION

“That the workgroup reports as listed be received.”

130/2023 CAMPBELL/TORENIUS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenius, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed

Against:

The Motion was **CARRIED**



11.0 PETITIONS

At the time of preparation of this agenda no petitions had been received.

12.0 LAND USE PLANNING

The Mayor advised in accordance with the provisions of Part 2 Regulation 25 of the Local Government (Meeting Procedures) Regulations 2015, the intention of the Council to act as a planning authority pursuant to the Land Use Planning and Approvals Act 1993 is to be noted.

In accordance with Regulation 25, the Council will act as a planning authority in respect to those matters appearing under item 12 on this agenda, inclusive of any supplementary items.

12.1 SORELL PLANNING AUTHORITY MINUTES

RECOMMENDATION

“That the minutes of the Sorell Planning Authority (“SPA”) Meetings of 1st August be noted.”

131/2023 GATEHOUSE/CAMPBELL

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed

Against:

The Motion was **CARRIED**

13.0 GOVERNANCE

Nil reports.

14.0 INFRASTRUCTURE AND ASSETS

Nil reports.



15.0 COMMUNITY RELATIONS

15.1 COMMUNITY GRANTS PROGRAM

RECOMMENDATION

“That Council resolve to approve two applications (Copping Community Care and the Lions Club of Sorell) and decline one application (Okines Community House (Auspicor)/Elise Vout (Auspicee) under the 2023-2024 Community Grants Program as per the following report.”

132/2023 CAMPBELL/GATEHOUSE

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed

Against:

The Motion was **CARRIED**

16.0 FINANCE

16.1 EXECUTIVE SUMMARY – FINANCIAL REPORT JULY 2023 YTD

RECOMMENDATION

“That the Executive Summary – Financial Report July 2023 year to date be received and noted by Council.”

133/2023 CAMPBELL/REED

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed

Against:

The Motion was **CARRIED**



17.0 PLANNING

17.1 VARIATION TO OPERATING BUDGET – BLUE LAGOON CATCHMENT MANAGEMENT

RECOMMENDATION

“That Council resolve to approve an increase to the 2023/2024 operating budget by \$50,000 (ex GST) for consultant costs to further review and investigate options for stormwater management at Blue Lagoon.”

134/2023 CAMPBELL/REED

“That the recommendation be accepted.”

An amendment to the motion was put.

135/2023 MIRO QUESADA LE ROUX/TORENIUS

“That the recommendation be amended to include the additional \$6,000.00 for stakeholder consultation.”

For:

Against: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed

The Amended Motion was **LOST**

The original motion was put.

136/2023 CAMPBELL/REED

“That the recommendation be accepted.”

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed

Against:

The Motion was **CARRIED**



18.0 HEALTH AND COMPLIANCE

Nil reports.

19.0 ROADS AND STORMWATER

Nil reports.

20.0 FACILITIES AND RECREATION

Nil reports.



21.0 QUESTIONS FROM THE PUBLIC

In accordance with Regulation 31 of the Local Government (Meeting Procedures) Regulations 2015, Council will conduct a Public Question Time.

At each meeting the Mayor will invite those members of the public present to ask questions. When requested please:

- Stand up; and
- State clearly your name and address.

This time is allocated for questions from the public. Questions are to be kept brief and specific to the topic to which they relate.

Members of the public are reminded that questions and any answers to such questions are not to be debated.

Questions may be submitted to Council in writing at least seven (7) days before an ordinary Council meeting.

Wayne McCarthy of Midway Point questioned regarding the constant deferring of the timeline for the duplication of the causeways and does Council have the ability to force the State Government?

Mayor Vincent advised the three issues at the moment which relate to a protected species, an international RAMSAR site which is controlled by the Federal Government and, the EPBC which is a 2 year process to go through. He further advised that the General Manager has been communicating with Department of State Growth and the Pitt and Sherry Project Managers recently. He also advised he had a phone call with a Pitt and Sherry consultant doing some of the design work who advised that the project is still progressing and there are some issues to be resolved with the EPBC assessment process - the relocation of the starfish and Aboriginal heritage matters. The projects are still going ahead and the funding is still there.

The DSD further added that on the DSG website the project has been pushed out to 2027 in the latest update.

Sharon Fotheringham of Forcett questioned regarding proposed Council amalgamations and where the boundary at Forcett would be in the Clarence model?

Mayor Vincent advised that discussions were still ongoing on all the available options. There are no set parameters on how these would look and it will be



interesting to see the recommendations that come forward after all the hearings and consultations are completed.

Dierdre Biggar of Dodges Ferry questioned what Council were going to do regarding the boneseed on the foreshore area in front of her property due to the fire risk.

The Mayor responded that there has been no change from previous requests. Council doesn't have jurisdiction over this piece of private land.

The General Manager added that issuing an abatement under the fire abatement program posed the issue as to whom it would be directed to as ownership has not been determined.

Wayne McCarthy of Midway Point question regarding the new playground at the Pawleena Road subdivision and the lack of parking, should the developers or Council be putting in carparking?

The Mayor responded that as part of the subdivision process developers are required to provide public open space. There are issues regarding how much responsibility can be placed on the developer with regard to carparking and public toilets which is being currently being discussed to determine better guidelines around requirements moving forward. Carparking is something that will be addressed into the future as a budget consideration.

Margaret Morgan from Midway Point questioned regarding the phasing out of hard waste services and what consideration has Council given to provision of an alternative service for those of us who don't have a utility and/or are no longer able to lift heavy items?

Mayor Vincent advised that the entire waste system is being looked at across all Council's and the State Government. Council produced the Waste Strategy to promote discussion about waste. We are currently in the Tender process for our kerbside waste services and there is no set process or agenda on the phasing out of services at this point in time. Over the next 12 or 18 months various options will be considered and discussed with the community as they become available. There will be a lot of changes into the future that we will all need to adjust to in how we handle our waste. Consultation and education on waste management will be ongoing.



Sharon Fotheringham questioned if waste management will be a decision of each of the individual Councils or are we going to be told by the State Government what is going to happen?

Mayor Vincent responded that each individual Council has the ability to do different things and make different decisions, we are one of the last Councils doing green and hard waste collections. With the influence of Climate Change we are needing to look at how we do things differently as burying it in the ground is not an option anymore except for the things you can't re-use or recycle.

Kristian Horvath of Carlton questioned will Council adopt best practice consultation practices and framework for the waste changes issue?

Mayor Vincent responded that the communication level has not been discussed yet as we don't know what the changes are to be discussed, but as the changes evolve we are happy to communicate and discuss them. Discussions are occurring with the State Waste Board to allocate funding from the waste levy to an education program that will include community and school children.

Sue Downie of Lewisham questioned if it was possible to have a Council workshop on the waste issues and survey results?

Mayor Vincent advised that we are in the process of making contact regarding a suitable time for a workshop.



21.1 QUESTIONS ON NOTICE

The below questions on notice were received;

Whitney Hillen of Carlton River asks;

“Just wondering if there is a footpath/walkway in the plans for Carlton River Road?”

Response – General Manager:

“Council have submitted a VRU grant application to DSG to construct a gravel path connecting Gate Five Road with the school bus stop near Provence Drive (inclusive of guard rail) - the outcome of which is pending.

Council has no existing budget allocation to otherwise continue the path further east along Carlton River Road from where it currently ends at Moomere St.

Council’s current priority is to complete the loop along Carlton Beach Road west from Raprinner Street.

A Tracks and Trails Strategy is also to be developed this financial year.”

Margaret Morgan of Midway Point asks;

“What consideration has Council given to provision of an alternative service for those of us who don’t have a utility and/or are no longer able to lift heavy items?”

Response – Manager Health & Compliance:

“Council is not ceasing bulk green and hard waste services, but is investigating how to phase out these services over time. The introduction from 1 July 2024 of a 240lt green waste bin with monthly collection will provide additional data to assist Council in assessing what level of service is appropriate to meet municipal needs leading up to the introduction of FOGO (which is likely to take up to 3 years).

Council will also continue to work with the community to seek feedback on alternative solutions to support people who may need additional assistance, including consideration of ideas that generate from the Community Action on Waste survey.”

Sue Downie of Lewisham asks;

“Would Council consider investigating the feasibility of:

- a) Offering subsidised compost bins to residents, together with suitable information/education; and*
- b) allowing those who buy compost bins to opt out of having a green/FOGO wheelie bin.*

“Would council consider investigating the feasibility of having designated organic bins at strategic locations, that are collected daily by either Council or a FOGO/composting company?”

Response – Manager Health & Compliance:

“Council is working closely with other councils across the state that have already implemented the FOGO service to develop criteria that would allow for an opt out option. As FOGO requires a organics processing facility, it is likely to take up to 3 years before Sorell can introduce this service. In the interim, from 1 July 2024 the introduction of a 240lt green waste bin with monthly collection will provide additional data to assist Council in assessing what level of service is appropriate to meet municipal needs leading up to the introduction of FOGO.”

Glenda Matthew of Carlton asks;

“...better to maintain the monthly kerbside bulk green waste collection as it is at the moment and only change to green waste bin when the FOGO system is ready?”

Response – Manager Health & Compliance:

“Council is not ceasing bulk green waste services, but is investigating how to phase out of this service over time. The introduction from 1 July 2024 of a 240lt green waste bin with monthly collection will provide additional data to assist Council in assessing what level of service is appropriate to meet municipal needs leading up to the introduction of FOGO which is likely to take up to 3 years.”

Kristian Horvath of Carlton asks;

“How are councillors, as representatives of this community, going to ensure that our residents do not have to choose between the basic necessities and removing their waste?”

Response – Manager Health & Compliance:

“Council aims to ensure that our waste management services are affordable and provide good value for our residents. Garbage collection will continue for each property within the municipality. The economic and environmental cost of disposing of waste to landfill will continue to increase and our priority must be on transitioning to a more circular economy.”

“Will the Council consider some of the options put forward by the Community Action on Waste, to ensure that people who are not financially struggling are not worse off with these changes?”

Response – Manager Health & Compliance:

“Council is not changing the existing weekly waste and recycling services, but is investigating how to phase out bulk green and hard waste services over time. The introduction from 1 July 2024 of a 240lt green waste bin with monthly collection will provide additional data to assist Council in assessing what level of service is appropriate to meet municipal needs leading up to the introduction of FOGO which is likely to take up to 3 years. Council will continue to engage with community on waste education, as well as working with the Community Action on Waste group to ensure those most vulnerable in our community are supported.”



Angela Panaretos of Dodges Ferry asks;

"I find it ironic that the Council will potentially be happy to receive rates and pay a Waste levy using some of this money but provide a significantly reduced waste service in exchange?"

Response – Manager Health & Compliance:

"The Waste Levy is a 'gate fee' on waste taken to landfill. Council doesn't receive revenue directly from the Levy, in fact it is increasing our waste disposal costs. Some regional waste management activities, such as waste education and littering prevention strategies are funded by the Levy."

"Would the Council be prepared to provide a monthly chipper truck on a similar pre-booked system as exists now for Green Waste collection?"

Response – Manager Health & Compliance:

"Council is not ceasing bulk green and hard waste services, but is investigating how to phase out these services over time. The introduction from 1 July 2024 of a 240lt green waste bin with monthly collection will provide additional data to assist Council in assessing what level of service is appropriate to meet municipal needs leading up to the introduction of FOGO (which is likely to take up to 3 years). Council will also continue to work with the community to seek feedback on alternative solutions to support people who may need additional assistance, including consideration of ideas that generate from the Community Action on Waste survey (e.g. chipper service or biochar)."

The open meeting concluded at 7.20pm.



CLOSED MEETING

Members are advised that items listed below in the CLOSED SESSION AGENDA are classified as CONFIDENTIAL ITEMS in accordance with the provisions of the Local Government Act 1993.

A Councillor must not discuss any item listed in a CLOSED SESSION AGENDA with any person (except another elected member, the General Manager or the author of a report to the closed session of Council or a Council Committee) without a specific resolution of the Council or a Council Committee that considered the report.

Section 338A (1) of the Local Government Act 1993 states that a Councillor must not disclose information:

- (a) *seen or heard by the Councillor at a meeting or part of a meeting of a council or council committee that is closed to the public that is not authorised by the council or council committee to be disclosed; or*
- (b) *given to the Councillor by the mayor, deputy mayor, chairperson of a meeting of the council or council committee or the general manager on the condition that it be kept confidential.*

Section 338A (3) states that a member must not disclose information acquired as such a member on the condition that it be kept confidential.

Additionally, Section 339 of the Local Government Act 1993 states that:

- (1) *A councillor or a member must not make improper use of any information acquired as a councillor or member.*
- (3) *Improper use of information includes using the information –*
 - (a) *to gain, directly or indirectly, an advantage or to avoid, directly or indirectly, a disadvantage for oneself, a member of one's family or a close associate; or*
 - (b) *to cause any loss or damage to any council, controlling authority, single authority, joint authority or person.*



The closed meeting commenced at 7.21pm.

22.0 CLOSED MEETING

The General Manager advised that in his opinion the listing of agenda item/s:

Reference	Item
22.1	Confirmation of the Closed Council Minutes of the Council Meeting of 18 July 2023 – <i>Regulation 34(3)</i>
22.2	Disclosure of confidential information – <i>Regulation 15(8)</i>
22.3	Interim Closure Order – Receipt of Report – <i>Regulation 15(2)(j)</i>
22.4	Sorell Audit Panel Meeting Minutes – <i>Regulation 15(2)(c)</i>
22.5	Copping FOGO MOU – <i>Regulation 15(2)(b)&(c)</i>

As prescribed items in accordance with Regulations 15 and 34 of the Local Government (Meeting Procedures) Regulations 2015, and therefore Council may by absolute majority determine to close the meeting to the general public.

RECOMMENDATION

That the meeting be closed to the public to enable Council to consider agenda items 22.1 – 22.5 which are confidential matters as prescribed in Regulations 34 and 15 of the Local Government (Meeting Procedures) Regulations 2015.

137/2023 TORENIUS/MIRO QUESADA LE ROUX

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed

Against:

The Motion was **CARRIED**



22.1 CONFIRMATION OF THE CLOSED MINUTES OF THE COUNCIL MEETING OF 18 JULY 2023

RECOMMENDATION

“That the Closed Minutes of the Council Meeting held on 18 July 2023 be confirmed.”

138/2023 WOOLEY/GATEHOUSE

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed

Against:

The Motion was **CARRIED**

22.2 AUTHORISATION TO DISCLOSE CONFIDENTIAL INFORMATION

RECOMMENDATION

“That in accordance with Regulation 15(9) of the Local Government (Meeting Procedures) Regulations 2015, the Mayor and General Manager be authorised to disclose information from this ‘Closed Section’ of this meeting in the course of implementing the decisions of Council.”

139/2023 REED/TORENIUS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed

Against:

The Motion was **CARRIED**



22.3 INTERIM CLOSURE ORDER – RECEIPT OF REPORT

140/2023 REED/CAMPBELL

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell,
Wooley, Reed,

Against:

The Motion was **CARRIED**

22.4 SORELL AUDIT PANEL MEETING MINUTES

141/2023 GATEHOUSE/REED

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell,
Wooley, Reed,

Against:

The Motion was **CARRIED**



22.5 SWS - COPPING FOGO MEMORANDUM OF UNDERSTANDING

142/2023 CAMPBELL/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed

Against:

The Motion was **CARRIED**

The closed meeting concluded at 7.24 pm.



23.0 ACRONYMNS

AGM	Annual General Meeting
AFL	Australian Football League
AIR	Australian Immunisation Register
ASU	Australian Services Union
ATO	Australian Taxation Office
AWTS	Aerated Wastewater Treatment Systems
BEST	Business and Employment Southeast Tasmania
CAC	Community Administration Centre
CEO	Chief Executive Officer
CLRS	Councillors
CPR	Cardiopulmonary Resuscitation
CRM	Customer Request Management
CRDSJA	Copping Refuse Disposal Site Joint Authority
DASC	Development Assessment Special Committee
DEDTA	Department Economic Development, Tourism & The Arts
DOE	Department of Education
DPAC	Department of Premier & Cabinet
DPFEM	Department of Police, Fire and Emergency Management
DSG	Department of State Growth
DST	Destination Southern Tasmania
EBA	Enterprise Bargaining Agreement
EOI	Expressions of Interest
EOFY	End of Financial Year
EPA	Environment Permit Authority
EWaste	Electronic Waste
FMAC	Fire Management Assessment Committee
GM	General Manager
ICT	Information Communication Technology
LGAT	Local Government Association of Tasmania
LPS	Local Provisions Schedule
LTFP	Long Term Financial Plan
LTI	Lost Time Injury
MAST	Marine & Safety Tasmania
MEMC	Municipal Emergency Management Committee
NBN	National Broadband Network
NRE	Department of Natural Resources and Environment Tasmania
NRM	Natural Resource Management
PWS	Parks and Wildlife Service
RACT	Royal Automobile Club of Tasmania
RDA	Regional Development Australia
RSL	Returned Services League
RTI	Right to Information



SBIP	School Based Immunisation Program
SEI	South East Irrigation
SEBA	South East Basketball Association
SENA	South East Netball Association
SERDA	South East Region Development Association
SEUFC	South East United Football Club
SES	State Emergency Service
SFC	Sorell Football Club
SFL	Southern Football League
SMH	Sorell Memorial Hall
SPA	Sorell Planning Authority
STCA	Southern Tasmanian Councils Association
STRWA	Southern Tasmanian Regional Waste Authority
SWSA	Southern Waste Strategy Association
SWS	Southern Waste Solutions
TasCAT	Tasmanian Civil and Administrative Tribunal
TAO	Tasmanian Audit Office
TCF	Tasmanian Community Fund
TOR	Terms of Reference
UTAS	University of Tasmania





Attachment to item number 12.1-
Sorell Planning Authority (SPA) Minutes



MINUTES

FOR THE SORELL PLANNING AUTHORITY (SPA) MEETING HELD AT THE
COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE STREET, SORELL ON
TUESDAY 29 AUGUST 2023

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1.0 ATTENDANCE

^
Chairperson Mayor Vincent
Councillor S Campbell – arrived at 4.37pm
Councillor J Gatehouse
Councillor M Miro Quesada Le Roux
Councillor M Reed
Councillor C Torenus

Staff in attendance:

Shane Wells – Manager Planning
Greg Robertson – Manager Health & Compliance
Eswaren Shanmugam - Development Engineer

2.0 APOLOGIES

Councillor M Brown – approved leave of absence
Deputy Mayor C Wooley
Councillor N Reynolds
Robert Higgins, General Manager

3.0 CONFIRMATION OF THE MINUTES OF 1 AUGUST 2023

RECOMMENDATION

“That the Minutes of the Sorell Planning Authority (SPA) Meeting held on 1 August 2023 be confirmed.”

37/2023 GATEHOUSE / MIRO QUESADA LE ROUX

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Campbell, Gatehouse, Reed, Torenus and Miro Quesada Le Roux

Against: None

The Motion was **CARRIED**



4.0 DECLARATIONS OF PECUNIARY INTEREST

The Mayor requested any Councillors to indicate whether they had, or were likely to have, a pecuniary interest in any item on the agenda.

No committee member indicated that they had, or were likely to have, a pecuniary interest in any item on the agenda.

In considering the following land use planning matters the Sorell Planning Authority intends to act as a planning authority under the *Land Use Planning and Approvals Act 1993*.

5.0 LAND USE PLANNING

5.1 DEVELOPMENT APPLICATION NO. DA 2022 / 226 - 1

Applicant:	Taylor & Beeson Building Pty Ltd
Proposal:	Resource Processing - Distillery including works within Craigs Hill Road Reserve
Site Address:	55 Craigs Hill Road, Boomer Bay (CT 122640/1)
Planning Scheme:	<i>Tasmanian Planning Scheme - Sorell</i>
Application Status	Discretionary
Relevant Legislation:	Section 57 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
Reason for SPA meeting:	More than one representation received.

Relevant Zone:	Agriculture Zone								
Proposed Use:	Resource Processing								
Applicable Overlay(s):	Bushfire-Prone Area								
Applicable Codes(s):	Parking and Sustainable Transport, Road and Railway Assets								
Valid Application Date:	14 July 2023								
Decision Due:	30 August 2023								
Discretion(s):	<table border="1"> <tr> <td>1</td> <td>Discretionary use</td> </tr> <tr> <td>2</td> <td>Discretionary use</td> </tr> <tr> <td>3</td> <td>Bicycle parking numbers</td> </tr> <tr> <td>4</td> <td>Traffic generation</td> </tr> </table>	1	Discretionary use	2	Discretionary use	3	Bicycle parking numbers	4	Traffic generation
1	Discretionary use								
2	Discretionary use								
3	Bicycle parking numbers								
4	Traffic generation								
Representation(s):	Twelve								

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 7.2022.226.1 for a Resource Processing - Distillery including works within Craigs Hill Road Reserve at 55 Craigs Hill Road, Boomer Bay be approved, subject to the following conditions:



Planning:

1. Development shall generally be in accordance with the endorsed plans submitted on 5 September 2022 except as may be amended by the conditions of this permit.
2. Onsite wastewater and stormwater management systems must not be located within the landslide risk hazard overlay.

Development Engineering:

3. Prior to any works commencing within the road reservation, a Vehicular Crossing and Associated Works Application (available on Council's website) must be submitted with an associated permit granted for the works.
4. Prior to first use, Craigs Hill Road must be widened in accordance with the endorsed traffic impact assessment with compliant width, surface treatment, drainage, and sight distance.
5. Prior to first use, sight benching works at the junction of Bay Road and Craigs Hill Road must be completed in accordance with the endorsed traffic impact assessment.
6. Vegetation removal associated with condition 4 must, wherever possible, occur on the northern side of the carriageway. Trees to be removed must be marked on site by the developer and subsequently agreed to in writing by the Manager Planning before works commence.
7. Prior to any works commencing on site, design drawings (prepared by a suitably qualified person) detailing the design and layout of parking areas, loading bays, road widening and sight benching must be submitted for approval by the Council Development Engineer.

Advice: A suitably qualified person (or consultancy) is a designer with an appropriate level of recognised civil engineering experience and the required professional indemnity insurance.

8. Prior to commencement of use, the parking area including off-street car parking and commercial vehicle facilities, as defined by AS/NZS 2890.1:2004 and AS 2890.2 – 2002, must:
 - a) be constructed in substantial accordance with the Council stamped design drawings;
 - b) be constructed with a durable all-weather pavement (i.e., rigid or flexible pavement design where appropriate) that is designed, constructed, and maintained to an appropriate standard;

- c) be constructed with a carriageway suitable for the maximum vehicular dimensions and loading likely;
 - d) be drained to a Lawful Point of Discharge or Council approved alternative (i.e., acceptably retained or disposed on site) such that stormwater runoff is not conveyed onto adjoining properties; and
 - e) have physical controls installed where appropriate, such as Kerbs, Barriers, Wheel stops, or other protective devices as defined by AS/NZS 2890.1:2004.
9. Prior to first use, off-street car parking spaces shall be provided on site generally in accordance with the endorsed plans, with:
- a) Pedestrian access provided in a safe and convenient manner;
 - b) eight (8) car parking spaces dedicated for employee parking consistent with the endorsed traffic impact assessment;
 - c) twenty (20) car parking spaces dedicated for car parking;
 - d) all external car parking spaces being at least 5.4m long and 2.6m wide with an additional 0.3m clearance from any nearby wall, fence, or other structure;
 - e) having a maximum gradient of 1 in 20 (5%) measured parallel to the angle of parking and 1 in 16 (6.25%) in any other direction;
 - f) be delineated by line marking or other clear physical means; and
 - g) have appropriate signposting for, entry to parking area, reservation for employee parking, and informing of (commercial vehicle) service/turning area(s).
10. Prior to first use, at least one (1) off-street parking spaces for people with disabilities shall be provided as part of the approved parking area, and constructed in accordance with AS/NZS 2890.1:2006, with:
- a) a footpath not less than 1.5m and a gradient not steeper than 1 in 14 to the main entry point of the building;
 - b) appropriate signposting including, direction and reservation for parking spaces for people with disabilities;
 - c) a sealed surface (pavement wearing course) for the angle parking spaces; and
 - d) be delineated with line marking and other clear means, as required.
11. Prior to first use, at least one (1) motorcycle parking space shall be provided as part of the approved parking area, and constructed in accordance with AS/NZS 2890.1:2004 – 2.4.7.

12. Prior to first use, all works determined as required by this permit shall be performed and completed by the developer, at the developer's cost and expense, to a standard that is to the absolute satisfaction of Council's General Manager.

NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT

- The permit does not take effect until 15 days after the date that this permit was served on you as the applicant and each representor provided that no appeal is lodged as provided by s53 of the *Land Use Planning and Approvals Act 1993*.
- This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- This planning approval shall lapse at the expiration of two (2) years from the date on which this permit became valid, if the permit is not substantially commenced. At the discretion of the Planning Authority, the expiration date may be extended for a further two (2) years on two separate occasions for a total of six (6) years. Once lapsed, a new application will be required.
- Any changes to the use or development approved, may be deemed as substantially in accordance with the permit or may first require either a formal amendment to this permit or a new permit.

You may appeal against the above conditions, any such appeal must be lodged within fourteen (14) days of service of this notice to TASCAT, 38 Barrack Street Hobart 7000 Ph: (03) 6165 6790 or email resourceplanning@tascat.tas.gov.au

38/2023 TORENIUS / GATEHOUSE

"That the recommendation be accepted."

The motion was put.

For: Vincent, Campbell, Gatehouse, Reed, Torenius and Miro Quesada Le Roux

Against: None

The Motion was **CARRIED**



5.2 MINOR AMENDMENT TO DEVELOPMENT APPLICATION NO. DA 2021 / 314 - 3

Applicant:	The Young Group
Proposal:	Minor Amendment - Changes to Setbacks & Elevations
Site Address:	11A Gordon Street, Sorell (CT 127636/1)
Relevant Legislation:	Section 56 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
Reason for SPA meeting:	Original application determined at DASC

Relevant Zone:	General Business Zone
Proposed Use:	Multiple Dwellings
Valid Application Date:	01 August 2023
Decision Due:	29 August 2023
Discretion(s):	1 Nil
Representation(s):	N/A

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 5.2021.314.3 for a Minor Amendment (Changes to Setbacks & Elevations) at 11A Gordon Street, Sorell be approved and that a new permit be issued with the following modifications:

A: Condition 1 be replaced with the following:

1. Development shall generally be in accordance with drawings prepared by Matt Gilley (Project 1690 Revision Q 25 July 2023) except as may be amended by the conditions of this permit*.

*Note: This condition has been amended pursuant to Section 56 of the *Land Use Planning and Approvals Act 1993* on 31 May 2022 and 29 August 2023.

B: Condition 2 be deleted.

39/2023 CAMPBELL / REED

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Campbell, Gatehouse, Reed, Torenus and Miro Quesada Le Roux

Against: None

The Motion was **CARRIED**



The Meeting closed at 4.48pm

**MAYOR VINCENT
CHAIRPERSON
29 AUGUST 2023**

